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May 25, 2022

VIA ECF

Judge Gregory H. Woods
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2260
New York, NY 10007

Re: Mt. Hawley Insurance Co. v. Spring Mountain Vineyard, Inc.
(Case No. 1:22-cv-03191-GHW)

Dear Judge Woods:

We are counsel to defendant Spring Mountain Vineyard, Inc. (“SMV”) in the above-referenced action.

We write, pursuant to Rule 1.E of Your Honor’s Individual Rules of Practice in Civil Cases, to request an extension of the deadline for SMV to answer, move, or otherwise respond to the Complaint filed in this action from May 31, 2022 to July 8, 2022. The reasons for this extension request are: (i) my firm was only retained for this lawsuit this week;¹ and (ii) to provide SMV and its counsel with sufficient time to consider how best to respond to Mt. Hawley’s Complaint in light of pending motion practice in a related action pending in California state court, captioned *Spring Mountain Vineyards, Inc. v. Landmark American Insurance Company, et. al*, Case No. 22CV000270 (Calif. Sup. Ct. Napa County), filed March 11, 2022. Mt. Hawley is a defendant in that California action.²

¹ Mt. Hawley Insurance Company (“Mt. Hawley”) served its Summons and Complaint on SMV through the Delaware Secretary of State on May 9, 2022, and that office apparently has had a delay in mailing the pleading because SMV has not yet received them. As a result, we only learned that service had been made (and about the May 31 deadline for SMV’s time to answer, respond, or otherwise move against Mt. Hawley’s Complaint) when plaintiff’s counsel emailed on Monday, May 23, about my availability for a Rule 26(f) conference. On May 23, we also requested and received a copy of the Complaint from Mt. Hawley’s counsel and SMV retained this firm for this matter on May 24.

² Pursuant to Rule 2.C.i of Your Honor’s Individual Rules, SMV needs to consider, for example, the grounds for a proposed motion and submit those grounds with its anticipated letter requesting a pre-motion conference.

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Mt. Hawley's counsel has consented to this extension request and there have been no previous requests to adjourn the deadline for SMV to respond to the Complaint.

This adjournment request does not affect any other scheduled dates. The only currently scheduled dates are: (i) the initial pre-trial conference with the Court on June 29, 2022; and (ii) the deadline to file a Proposed Civil Case Management Plan and Scheduling Order one week prior to that conference.

We thank you for your consideration of our extension request.

Respectfully submitted,

/s/ Jay B. Spievack

Jay B. Spievack

cc: Counsel of Record (*via ECF*)